



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,098	12/14/2000	Kanu Patel	5056.87281	9085

22908 7590 10/04/2002

BANNER & WITCOFF, LTD.
TEN SOUTH WACKER DRIVE
SUITE 3000
CHICAGO, IL 60606

EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
----------	--------------

2645

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/737,098

Applicant(s)

PATEL, KANU

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1. 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-8 and 15-20** are rejected under 35 U.S.C. 102(b) as being anticipated by Shaffer et al. (US 5,901,214).

Regarding **claim 1**, Shaffer discloses a one number intelligent call processing system (column 1, lines 11-18), (which reads on claimed "a system for obtaining information") credit history information of a person (column 23, lines 39-46) via a telephone network (column 2, line 40) comprising in combination:

- (a) an automated call handler (213 on FIG. 2) coupled to the telephone network (column 28, lines 5-7) and capable of receiving a request (column 28, line 19 "a telephone call") for credit history information from a caller (column 28, line 21) via the telephone network (column 28, lines 19-24), querying the caller for details about the request (column 23, lines 39-46), accessing the requested credit history information (column 28, lines 24-27), and providing the requested credit history information to the caller in accordance with the request (column 28, lines 27-32) [The call processing center receives a call from a user and gets specific information from the user to retrieve the request service for the user];
- (b) an audio controller (column 30, line 41 "The VRU") capable of providing outgoing audio messages from the call handler to the caller via the telephone network (column 30, line 41 to column 31, line 5) [The VRU provides outgoing messages to the caller to receive and confirm information interacting with the caller and the network]; and
- (c) a gateway terminal (column 30, line 21) coupled to the automated call handler (column 30, lines 17-24) and having a searchable database (column 30, line 23) having stored therein credit history information (column 23, lines 39-46)

Art Unit: 2645

[The gateway has access to the remote database that contains individual information such as credit history of the user].

Regarding **claims 2 and 16**, Shaffer discloses (d) a plurality of modems for converting a dual-tone multi-frequency (DTMF) signal into at least one digit (column 28, lines 35-54).

Regarding **claims 3 and 17**, Shaffer discloses the gateway terminal further has a security checker for ensuring access to the searchable database by authorized callers (column 23, lines 35-54).

Regarding **claims 4 and 18**, Shaffer discloses the gateway terminal further has a data analyzer for converting the digits into at least one American Standard Code for Information Interchange (ASCII) character (column 3, lines 16-31).

Regarding **claims 5 and 19**, Shaffer discloses the gateway terminal further has a data search handler for searching the database based on the request provided by the caller (column 18, lines 21-48).

Regarding **claim 6**, Shaffer discloses the call handler is capable of faxing the credit history information to the caller (column 33, line 48 to column 34, line 3).

Art Unit: 2645

Regarding **claim 7**, Shaffer discloses the call handler mails the credit history information to the caller (column 37, lines 17-32).

Regarding **claim 8**, Shaffer discloses the call handler e-mails the credit history information to the caller (column 33, lines 15-24).

Art Unit: 2645

Regarding **claim 15**, Shaffer discloses a one number intelligent call processing system (column 1, lines 11-18), (which reads on claimed "a system for obtaining information") address information of an entity (column 26, lines 19-45) via a telephone network (column 2, line 40) comprising in combination:

- (a) an automated call handler (213 on FIG. 2) coupled to the telephone network (column 28, lines 5-7) and capable of receiving a request (column 28, line 19 "a telephone call") for address information from a caller (column 28, line 21) via the telephone network (column 28, lines 19-24), querying the caller for details about the request (column 23, lines 39-46), accessing the requested address information (column 28, lines 24-27), and providing the requested address information to the caller in accordance with the request (column 28, lines 27-32) [The call processing center receives a call from a user and gets specific information from the user to retrieve the request service for the user];
- (b) an audio controller (column 30, line 41 "The VRU") capable of providing outgoing audio messages from the call handler to the caller via the telephone network (column 30, line 41 to column 31, line 5) [The VRU provides outgoing messages to the caller to receive and confirm information interacting with the caller and the network]; and
- (c) a gateway terminal (column 30, line 21) coupled to the automated call handler (column 30, lines 17-24) and having a searchable database (column 30, line 23) having stored therein address information (column 26, lines 19-45)

[The gateway has access to the remote database that contains information such as the address information of an entity].

Regarding **claim 20**, Shaffer discloses the audio controller converts the address information into an audio response and the call handler provides the audio response to the caller (column 30, line 41 to column 31 line 5).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 9-14 and 21-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer in view of Lowery (US 6,446,111).

Art Unit: 2645

Regarding **claim 9**, Shaffer discloses a one number intelligent call processing system (column 1, lines 11-18), (which reads on claimed "a system for obtaining information via a telephone network (column 2, line 40) comprising in combination:

- (a) an automated call handler (213 on FIG. 2) coupled to the telephone network (column 28, lines 5-7) and capable of receiving a request (column 28, line 19 "a telephone call") for information from a caller (column 28, line 21) via the telephone network, querying the caller for details about the request (column 23, lines 39-46), accessing the requested information (column 28, lines 19-27), and providing the requested information to the caller in accordance with the request (column 28, lines 27-32) [The call processing center receives a call from a user and gets specific information from the user to retrieve the request service for the user];
- (b) an audio controller (column 30, line 41 "The VRU") capable of providing outgoing audio messages from the call handler to the caller via the telephone network (column 30, line 41 to column 31, line 5) [The VRU provides outgoing messages to the caller to receive and confirm information interacting with the caller and the network]; and
- (c) a gateway terminal (column 30, line 21) coupled to the automated call handler (column 30, lines 17-24) and having a searchable database (column 30, line 23) having stored therein information (column 23, lines 39-46) [The gateway has access to the remote database that contains individual information such as credit history of the user].

Shaffer fails to disclose a book availability information database.

However, Lowery teaches a database that contained books availability information (column 14; lines 1-21).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add a database with book availability information of Lowery in the invention of Shaffer.

The modification of the invention would offer the capability of having a book availability information data such as the user would be able to access this information and buy a book.

Regarding **claim 10**, Shaffer discloses (d) a plurality of modems for converting a dual-tone multi-frequency (DTMF) signal into at least one digit (column 28, lines 35-54).

Regarding **claim 11**, Shaffer discloses the gateway terminal further has a security checker for ensuring access to the searchable database by authorized callers (column 23, lines 35-54).

Regarding **claims 12 and 23**, Shaffer discloses the gateway terminal further has a data analyzer for converting the digits into at least one American Standard Code for Information Interchange (ASCII) character (column 3, lines 16-31).

Art Unit: 2645

Regarding **claim 13**, Shaffer discloses the gateway terminal further has a data search handler for searching the database based on the request provided by the caller (column 18, lines 21-48).

Regarding **claim 14**, Shaffer discloses the audio controller converts the book availability information into an audio response and the call handler provides the audio response to the caller (column 30, line 41 to column 31 line 5).

Regarding **claim 21**, Shaffer discloses a one number intelligent call processing system (column 1, lines 11-18), (which reads on claimed “an automated system for providing information”) to a caller (column 28, line 21) from a database (column 30, line 23) through a telephone network (column 2, line 40), the system comprising in combination:

- (a) means for providing interactive communication with the caller via the telephone network (column 30, line 41 “The VRU”), wherein said means interactively queries the caller to submit a request (column 28, line 19 “a telephone call”) on a step-by-step basis (column 30, line 41 to column 31, line 5) [The VRU provides outgoing messages to the caller to receive and confirm information interacting with the caller and the network];
- (b) means for receiving a plurality of character responses from the caller, wherein each response represents a single ASCII character (column 3, lines 16-31);
- (c) means for analyzing and converting the plurality of character responses from the caller into a database search request (column 30, lines 60-67);
- (d) searchable database means for storing information (column 31, lines 9-16) and coupled to the means for providing interactive communication with the user (column 31, line 6-8), wherein the information is selected from the group consisting of credit history information (column 23, lines 39-46), and address information (column 26, lines 19-45); and

Art Unit: 2645

(e) a database search means for searching the searchable database means using the database search request (column 31, lines 9-31) [The SQL database server search the databases and store the information to be send to the VRU for the user].

Shaffer fails to disclose a book availability information database.

However, Lowery teaches a database that contained books availability information (column 14, lines 1-21).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add a database with book availability information of Lowery in the invention of Shaffer.

The modification of the invention would offer the capability of having a book availability information data such as the user would be able to access this information and buy a book.

Regarding **claim 22**, Shaffer discloses a one number intelligent call processing system (column 1, lines 11-18), (which reads on claimed "a method of obtaining information ") from a database (column 30, line 23) through a telephone system (column 2, line 40), wherein in the information is selected from the group consisting of credit history information (column 23, lines 39-46), the method comprising the steps of:

- (a) interactively querying a caller (column 28, line 21) to submit a request (column 28, line 19 "a telephone call") for the information on a step-by-step basis (column 30, line 41 to column 31, line 5) [The VRU provides outgoing messages to the caller to receive and confirm information interacting with the caller and the network];
- (b) receiving a plurality of character responses from the caller to form a request, wherein each response represents a single ASCII character (column 3, lines 16-31);
- (c) analyzing and converting the plurality of character responses from the caller to form a database search request (column 30, lines 60-67);
- (d) searching in a database means for the requested information (column 31, lines 9-31) [The SQL database server search the databases and store the information to be send to the VRU for the user]; and
- (e) providing the requested information to the caller (column 30, lines 5-23).

Shaffer fails to disclose a book availability information database.

However, Lowery teaches a database that contained books availability information (column 14, lines 1-21).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to add a database with book availability information of Lowery in the invention of Shaffer.

The modification of the invention would offer the capability of having a book availability information data such as the user would be able to access this information and buy a book.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Richard, III et al. is cited for a PSTN architecture for video-on-demand services (FIG. 1).

Blaha et al. is cited for an automatic call distributor with automated voice responsive call servicing system and method (FIG. 1).


Braum et al. is cited for a system for providing directory information over a telephony network using ADSI (FIG. 1).

Art Unit: 2645

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
September 30, 2002

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

